



## TOWN OF SHREWSBURY

Richard D. Carney Municipal Office Building  
100 Maple Avenue  
Shrewsbury, Massachusetts 01545-5398

DATE: February 5, 2016  
TO: Board of Health  
FROM: Kerry Stockwell, Administrative Assistant  
SUBJECT: Board of Health Meeting Minutes  
ATTENDANCE: Stephen Vigeant, Jordan Rubin, Maria Narducci, Koby Owusu-Ansah

ALSO IN ATTENDANCE: Philip Leger, Karyn Clark, Michael Mendez, Zachary Dyer - WDPH  
Dan Morgado, Kristen Las – Town Manager's Office  
Patricia Sheehan – Shrewsbury Building Department  
Eric Tessier, George Poudrier – Representing 6-10 Ek Court

### AGENDA

1. **Call to order.** The meeting was called to order at 8:20 a.m. by Stephen Vigeant.
2. **Approval of Minutes.** Jordan Rubin made a motion to accept the Meeting Minutes from the December 11, 2015 Board of Health meeting, seconded by Maria Narducci. Unanimously approved 3-0.
3. **6-10 Ek Court (Commercial space) - Plumbing Variance request for Bollard Posts**  
Eric Tessier (tenant) and George Poudrier, GAPS Plumbing (applicant) came before the Board to request a variance. Eddie Fisher, Consolidated Properties LLC is the property owner.

Question: What is the nature of the variance?

Answer: The installation of bollard posts to prohibit vehicles from entering the building.

The building at 6-10 Ek Court has two (2) overhead doors to the outside, which could allow a vehicle to be driven in. Bollard posts have been installed to prevent this action in place of an MDC trap (i.e. oil, gasoline, sand trap) that is required by the plumbing code 248 CMR 10:09 (1) (b) 1 – Separators or Holding Tanks required. If the garage doors weren't already part of the building, this wouldn't be a concern. For clarification, the Board of Health will not be issuing the variance. The Plumbing Board will be issuing the variance. If this was a Board of Health regulation, then the Board of Health would handle the variance request. Phil Leger recommended to the Board that they take a non-opposition vote.

Jordan Rubin made a motion that the Board of Health will not oppose the plumbing variance request for 6-10 Ek Court for the bollards posts, seconded by Maria Narducci. Unanimously approved 3-0.

4. **6-10 Ek Court (Commercial space) - Plumbing Variance request for required bath and shower fixture**  
The plumbing code stipulates that certain types of buildings have required fixtures. A building requires a sink, toilet, and in some instances, a stand-up shower or bathtub. When plumbing fixtures are installed, traps can dry out. If you're not reminded all the time, it can pose a hazard or nuisance. Thus, the request for a variance to the plumbing code. All employees were asked if they would use a shower. They all said no, that they would not use it, as they don't use acid or other chemicals that would require a shower.

Question: Will this prevent a potentially hazardous situation?

Answer: Yes, it can.

Jordan Rubin made a motion that the Board of Health not oppose the plumbing variance request for required bath and shower fixtures at 6-10 Ek court, seconded by Maria Narducci. Unanimously approved 3 – 0.

#### 5. **Board of Health Fee Schedule – Semi-Public Swimming Pool Review Fee**

Phil Leger explained to the Board that Alliance-wise he has been comparing the Board of Health Fee Schedules and making recommendations. One (1) fee that stood out on the Shrewsbury Board of Health Fee Schedule, was the semi-public swimming pool plan review in the amount of ten dollars (\$10.00). The Health Department is currently in the process of reviewing a proposed semi-public swimming pool for Lakeway Commons (where the former Spag's Building was). This particular project, is a good example of how time and effort for a pool plan review can be spent. He's had one (1) on-site meeting so far, multiple telephone and email exchange. Lakeway Commons will be a residential development and will offer a semi-public swimming pool. Phil presented a photo to the Board with a similar situation within another community. Lakeway Commons would like to bring in the elements of a back yard feel where there would be a grill area, fire pit area, a bocce court, and other recreational aspects. State law requires a six (6) foot chain-link fence or a five (5) foot stockade fence. Avon condominiums have a similar type facility. They managed to put around the pool area, a six (6) foot chain-link fence with a wrought iron fence around it. The purpose is to be able to see through the fence. The most important thing to focus on is identifying the pool area as opposed to the grill and recreational area. There will be multiple meetings for this review.

Question: What are other towns charging for pool review fees?

Answer: It varies, but most towns charge between one hundred dollars (\$100.00) and one hundred and fifty (\$150.00) dollars.

Question: How involved is a pool plan review?

Answer: It's as involved as a septic system. It's a balance of trying to accommodate requests and making recommendations.

Phil Leger touched base with the MA Department of Public Health (MDPH) and everything keeps pointing back to the fence law which falls under the building code's jurisdiction. Semi-public swimming pools fall under the Board of Health's jurisdiction. Shrewsbury is very active right now in terms of new construction. The pool plan review that is taking place right now is very involved. The Board is comfortable with raising the pool plan review fee from ten dollars (\$10.00) to one hundred and fifty dollars (\$150.00).

Jordan Rubin made motion to amend the current semi-public swimming pool plan review from ten dollars (\$10.00) to one hundred and fifty dollars (\$150.00), Maria Narducci seconded. Unanimously approved 3 – 0.

#### 6. **New business**

Inter-Municipal Agreement (IMA).

The Town Manager and the City of Worcester took a look at how business is being conducted.

Question: What is the primary reason that the City of Worcester is taking over Title V responsibilities?

Answer: The understanding is that Shrewsbury is not particularly satisfied with the way the consultant is currently handling that work and that previously, Worcester didn't have the capacity to take on those duties. Shrewsbury would prefer to work with Worcester on that particular body of work.

Karyn Clark explained to the Board that a Regional Public Health Specialist would be on staff in Shrewsbury for an additional day per week. This will make four (4) days in the office versus the previous three (3) days. The need for an additional staff day came about, as Shrewsbury is the largest community within the Alliance (outside of Worcester). There is a lot of activity in terms of environmental health inspections. Shrewsbury is booming in many respects. The number of food establishments is staggering. Nuisance and housing complaints

have significantly increased.

Question: What's going on with Animal Inspector duties?

Answer: Those duties will stay with Koby Owusu-Ansah, as he will be in the office an extra day per week. However, the volume and data will be revisited after one (1) year.

Phil Leger's recommendation is that the Animal Inspector piece stay with the Animal Control Officer. He feels it's a better model because the Animal Control Officer deals with animals already. The Department of Agriculture requires that the Animal Inspector physically go to the site to observe the animal. Following-up with the pet owner, can be very time consuming.

Question: What does an Animal Inspector do?

Answer: The Animal Inspector deals with bites and possible exposure to rabies.

Karyn Clark had spoken with Dan Morgado back in November regarding this topic. The agreement was to see what the volume looks like after one (1) year and determine if that work needs to shift.

Question: Does the Board of Health need to take any action today?

Answer: No. The Town Manager just wanted to be sure the Board was comfortable with the changes and address any questions they might have. He recommends a three (3) year contract.

The Board of Selectmen will vote on and sign the IMA. There will be a financial committee in a couple of weeks. Karyn Clark will be in attendance. Phil Leger added that shared public health services are attractive to municipalities. Dan Morgado is a visionary and a leader in looking ahead. The Town of Shrewsbury was the first community to be part of the Alliance.

## **7. Central Massachusetts Regional Public Health Alliance (CMRPHA) Update**

a) **Introductions.** Phil Leger introduced Michael Mendez to the Board. Michael is one (1) of the newly hired Regional Public Health Specialists. Michael is currently shadowing Koby on inspections. At some point, Phil would like to have Jamie Rice meet the Board. She also recently came onboard in the capacity of Regional Public Health Specialist.

b) **Training.** Phil Leger is a big proponent of training and Public Health is constantly training, as there are multiple certifications that need to be held and maintained. Mike Mendez and Jamie Rice will be attending housing and swimming pool training. Julie VanArsdalen has recently completed on-site waste water training. In the fall, there will be a four (4) day food service training. This will include several days in the classroom as well as training out in the field.

### **c) Staffing.**

*Consultant.* A part-time consultant, Mary Ann Sarkis, a faculty member at Clark University, was hired to coordinate the Academic Health Department. Potential projects have been compiled and reviewed. Once student interns have been identified, they will begin work.

*Chief of Community Health.* The job posting for this position will end at the close of business today, February 5, 2016. Position should be filled by March 2016.

*Epidemiologist.* Candidates are in the process of being interviewed. Position should be filled by March 2016.

### **d) Youth Survey.**

Question: When will the Youth Survey results be available?

Answer: The results should be available in March. WDPH has a Memo of Understanding (MOU) with all of the schools. Permission must be granted from the schools to share the data and it will most likely be in aggregate. WDPH contracted with UMass Medical School to analyze the data.

Question: How many years in a row was the data collected?

Answer: Three (3) years.

The Board would like to view the three (3) years of data. Karyn said that we could go back and compare the different trends, etc. Once the results are available, we'll speak with both the Principal and Superintendent and perhaps the Wellness Committee to request specific information or at least get it in aggregate. If there is specific data that the Board would like to access, we'll have to make a formal request. When the results are in, the Board will be notified.

**Emergency Preparedness.** WDPH updated their 24/7 emergency contacts. Management staff will operate on a rotational basis in order to effectively triage emergencies.

**Public Health Nursing.** All the influenza vaccine provider enrollment has been completed and approved.

Koby provided a Shrewsbury Health Department update for the month of January:

a) **Semi-public swimming pool.** Koby conducted one (1) pool inspection. There was a communication issue whereby when someone dials 911, it has to show up on the Police Department's dashboard as an emergency. The display was reading "POOL AREA" as opposed to "911". Phil had a conversation with the State Department and the issue has been resolved. Per the code, there has to be an emergency code in place; however, it doesn't have to read "911". The key is that there is access in the pool area to a telephone in the event of an emergency. The Police Department will know the general area.

b) **Food establishments.** A couple of complaints came through the Health Department. One was possible food poisoning where the individual was vomiting. The other complaint was for unsanitary conditions. Both issues were investigated but there were no violations cited.

*SAWA Steakhouse & Sushi.* There was an issue with water waste being disposed of in a storm drains. The Department of Environmental Protection (DEP) was involved and the issue has since then been resolved.

*Village Pizza.* There was a concern of pigeons and chickens. An inspection revealed that the birds are separate from the food area and are in pens outside of the establishment. This was not deemed an immediate concern.

*Burger King.* There was a complaint with regards to a piece of ceramic material inside of a veggie burger. An inspection took place and heating of the burgers were observed. The Manager was asked to educate the distribution center, as the burgers are made off-site. The burgers are received in a frozen state and then heated to proper temperatures. There were no other reports at the local level and no report at the national level regarding foreign matter in burgers.

*Advanced Fresh Concepts (AFC Sushi).* This establishment was formerly inside Shaw's Supermarket. They moved into Price Chopper earlier this week. A preoperational inspection took place and their food permit was issued. AFC is moving to Big Y and Price Chopper at the national level.

c) **Emergency.** There was a sprinkler break at Shaw's Supermarket. The power had to be turned off. Health Inspector monitored the situation all afternoon until approximately 6:00 p.m. to ensure the food was kept at proper holding temperatures. Almost all of the food were at proper holding temperatures. Any food items in question, were discarded immediately. The issue was resolved by the close of business that evening.

d) **Housing.** The Shrewsbury Police Department was contacted for a domestic dispute. It took seven (7) police officers to arrest this individual. Upon entry, unsanitary conditions and broken windows were observed. The Health Department was able to contact the property owner's family with regard to the clean-up. The occupant's sister secured contractors to address the clean-up and boarding of windows. The sister is in the process of evicting her brother. The Health Department is moving towards the closure of this case.

*525 Hartford Turnpike.* This was the former Golden Motel. There was an issue with excess furniture, debris, and three (3) barrels of spray foam. The outside has been cleaned up and the Fire Department made contact with someone to have the barrels of spray foam removed. This case is now closed.

*43 Janet Circle.* A complaint came with regards to mice and a hot water issue. The property owner quickly responded and addressed the problem. A reinspection will follow.

*5-7 Greylock Avenue.* A complaint came in with regards to hot water and door jams. The property owner has been willing to resolve the issues; however, the occupant has been giving the owner a hard time with when contractors can access the space. The occupant is currently in the eviction process and the property owner has been in contact with Phil Leger with updates. This case is on its way to being resolved.

**e) Food Establishment Inspections.** Thirty-two (32) inspections have taken place (including complaints).

**f) Housing / Nuisance Inspections.** Forty-five (45) inspections have taken place.

Karyn Clark had two (2) items to report on and (1) item that she wanted to bring to the Board's attention.

**1) Lost Flu Vaccine.** The refrigerator that the vaccine had been stored in, was over ten (10) years old. All of the vaccine froze on Christmas Eve after a malfunction. The Worcester Department of Public Health (WDPH) is currently looking to purchase a pharmaceutical grade refrigerator. The intent is to use WDPH and regional emergency preparedness funds to purchase a refrigeration unit that will alert if there is a malfunction. Also looking into installing a generator in that space.

**2) Accreditation.** Sometime in the month of March, we will find out if we've been accredited. If we are, we would be first regionalized health department to be accredited in Massachusetts.

**3) Correspondence addressed to the Alliance.** Karyn informed the Board of Health about an anonymous letter that was sent to the Alliance towns relative to residency of WDPH staff and other issues. Karyn spoke with Dan Morgado as well as the other Town Managers who agree the letter's content are irrelevant to the services provided to the Alliance. Should the Board of Health have questions, Karyn is available to discuss.

Dan Morgado approached the Board.

**Finance Committee.** Dan will be meeting with the Finance Committee tomorrow, February 6, 2016. The contract between the City of Worcester and the Town of Shrewsbury will expand its services with two (2) pieces of work. One (1) being Title V and secondly, a Regional Public Health Specialist will be in the Shrewsbury Health Department Office for an additional day per week (for a total of four (4) days). If the Board has any concerns, please let him know.

**8. Next meeting.** To be held on March 30, 2016 at 8:15 a.m., in Conference Room B (Old Selectmen's Room).

**9. Adjourn.** Maria Narducci made a motion to adjourn the meeting at 9:10 a.m. Steve Vigeant, seconded. Unanimously approved 3-0.

**Correspondence:**

- Board of Health Fee Schedule, dated December 11, 2015
- Board of Health Meeting Minutes, dated December 11, 2015
- Inter-Municipal Agreement (IMA)
- 6-10 Ek Court – Plumbing Variance Request for bollard posts
- 6-10 Ek Court – Plumbing Variance Request for required bath and shower fixture
- Central MA Regional Public Health Alliance (CMRPHA) February 2016 update